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PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) Kuijpers, et al. Examiner: Patrick J. Nolan  
Serial No.: 10/079,931 Group Art Unit: 1644  
Confirmation No.: 7525 Docket: 294-70 CON  
Filed: February 19, 2002 Dated: January 30, 2006  
For: TREATMENT OF OCULAR  
DISORDERS

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES**

Applicants hereby appeal to the Board from the decision of the Primary Examiner,  
mailed July 28, 2005, finally rejecting Claims 10-20.

The item(s) checked below are appropriate:

**1. STATUS OF APPLICANT**

This application is on behalf of

- ☐ other than a small entity.  
☒ small entity.

A verified statement claiming small entity status

- ☐ is attached.  
☒ was already filed on February 19, 2002.

**CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8a)**

I hereby certify that this correspondence is, on the date shown below, being:

**MAILING**

- ☒ Deposited with the United States Postal Service with sufficient  
postage as first class mail in an envelope addressed to the  
Commissioner for Patents, P.O. Box 1450,  
Alexandria, VA 22313-1450

**FACSIMILE**

- ☐ Transmitted by facsimile to the  
Patent and Trademark Office

Deana J. Guea  
Signature

Date: January 30, 2006

(Notice of Appeal from the Primary Examiner to Board Page 1 of 3)

02/03/2006 RFEKADU1 00000041 082461 10079931  
01 FC:2253 285.00 DA

02/03/2006 RFEKADU1 00000041 082461 10079931

02 FC:2401 250.00 DA

2. **FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 CFR 1.17(e), the fee for filing the Notice of Appeal is:

<input checked="" type="checkbox"/>	small entity	\$250.00
<input type="checkbox"/>	other than small entity	\$500.00
	Notice of Appeal fee due	<b><u>\$250.00</u></b>

3. **EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply.

(complete (A) or (B); as applicable)

(A) ☒ Applicants petition for an extension of time under 37 CFR 1.136 for the total number of months checked below (fees: 37 CFR 1.17(a)-(d)):

	Extension (months)	Fee for Other than Small Entity	Fee for Small Entity
<input type="checkbox"/>	one month	\$ 120.00	\$ 60.00
<input type="checkbox"/>	two months	\$ 450.00	\$225.00
<input checked="" type="checkbox"/>	three months	\$1,020.00	\$510.00
<input type="checkbox"/>	four months	\$1,590.00	\$795.00

Fee due for indicated extension **\$510.00**

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

☒ An extension for 2 months has already been secured. The fee paid therefor of **\$225.00** is deducted from the total fee due for the total months of extension now requested.

Extension fee due with this request \$510 - 225 = **\$285.00**

(B) ☐ Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

4. **TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee	\$ <b><u>250.00</u></b>
Extension fee (if any)	\$ <b><u>285.00</u></b>
<b>TOTAL FEE DUE</b>	<b>\$ <u>535.00</u></b>

5. **FEE PAYMENT**

☐ Attached is a check in the sum of \$ \_\_\_\_\_.

☒ Charge Account No. 08-2461 the sum of \$535.00.

A duplicate of this transmittal is attached.

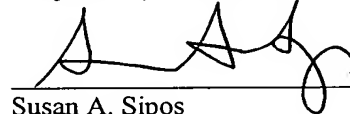
6. **FEE DEFICIENCY**

☒ If any additional extension and/or fee is required or any overpayment has been made, please charge or credit Deposit Account No. **08-2461** for such sum.

AND/OR

☒ If any additional fee for claims is required or any overpayment has been made, please charge or credit Deposit Account No. **08-2461** for such sum.

Respectfully submitted,



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